

**BEFORE THE ALABAMA BOARD OF NURSING**

<b>IN THE MATTER OF:</b>	)	
	)	<b>IN RE: PETITION FOR</b>
<b>TROY UNIVERSITY</b>	)	<b>DECLARATORY RULING</b>
	)	
<b>Petitioner.</b>	)	

**DECLARATORY RULING**

**COMES NOW** the Alabama Board of Nursing, by and through its Executive Officer Peggy Sellers Benson, RN, MSHA, MSN, NE-BC, and issues the following ruling:

**QUESTION PRESENTED**

Pursuant to Rule 610-X-3-.02(6)(c)2.i of the Alabama Board of Nursing Administrative Code, may Troy University School of Nursing appoint Sewell to a full-time lecturer position in its associate degree program based on Sewell's current enrollment in a BSN to DNP program and successful completion of coursework equivalent to that coursework which would be required for completion of a MSN?

**FINDINGS OF FACT**

1. On or about August 19, 2022, Jeffery Wade Forehand, Director and Professor in the Troy University School of Nursing submitted a declaratory ruling request. He further clarified the nature of the request in an August 25, 2022, email. Troy University School of Nursing seeks to hire Morgan Sewell as a full-time lecturer (nursing faculty) in its Associate Degree Nursing Program. Sewell has a BSN and 10 years of nursing practice experience. She is presently enrolled in a BSN to DNP program at Troy University and is expected to graduate in December 2023. To date, Sewell has completed 46 credit hours of graduate-level coursework. Dr. Forehand represents that Sewell's completed graduate coursework is beyond that of a person who holds a MSN degree. Sewell's transcripts were included with the request.

2. Board staff obtained the BSN to DNP Nurse Leader Program Track Degree Plan and the MSN Healthcare Informatics and Nursing Leadership Degree Plan (this is the MSN offered at Troy which appeared to most closely align with the focus of Sewell's DNP program). A review was conducted of Sewell's transcripts, compared against both the DNP Degree Plan and the MSN Degree Plan. Sewell has completed every course that is required on both degree plans. For the MSN, there is one master's level course in Foundations of Advanced Nursing Practice that is not required in the BSN to DNP

program; however, Sewell has completed a doctoral-level course in Foundations of Evidence-Based Practice. The MSN requires a master's level course in Data Analysis and Interpretation in Quantitative Research that is not required in the DNP Program; however, Sewell has completed a doctoral-level course in Applied Biostatistics. The MSN program requires two master's level courses in Scholarly Inquiry Practicum that are not required in the DNP program; however, Sewell has completed a doctoral-level course in Synthesis of Evidence Based Practice I: Identification and is currently enrolled in a doctoral-level course in Synthesis of Evidence Based Practice II: Project Development. It appears that a thesis is optional in the master's degree program and the degree may be completed with a comprehensive exam. Sewell does not appear to have completed a thesis or a comprehensive exam; however, she has made an A in every graduate course she has completed in her program.

### **JURISDICTION**

Pursuant to Section 41-22-11 of the Code of Alabama (1975), the Alabama Board of Nursing has jurisdiction to issue declaratory rulings with respect to the validity of a rule, with respect to the applicability to any person, property or state of facts of any rule or statute enforceable by it, or with respect to the meaning and scope of any order of the agency, if a written petition for declaratory ruling is filed by a person who states with specificity the reason why the person is substantially affected by the rule at issue. See also Alabama Board of Nursing Administrative Code § 610-X-1-.09. Troy University is substantially affected by the rule pertaining to the qualifications for nursing faculty; thus, the ABN has jurisdiction to issue this Declaratory Ruling.

### **CONCLUSIONS OF LAW**

1. ABN rules require that nursing faculty hold an "earned graduate degree in nursing or a related health field." Alabama Board of Nursing Administrative Code § 610-X-3-.02(6)(c)2.i.
2. Based on a review of Sewell's specific academic record and relevant degree plans, it appears Sewell has completed all of the master's level coursework required for her DNP, and substantially all of the same or similar coursework which would be required for a master's degree in a similar concentration.

## **RULING**

Troy University's Request for Declaratory Ruling is hereby granted, and the Alabama Board of Nursing hereby rules as follows:

1. Troy University may employ Sewell as a full-time lecturer in the Associate Degree Nursing Program through December 31, 2023, so long as Sewell continues her enrollment in her DNP program.
2. To continue to employ Sewell in a nursing faculty position on or after January 1, 2024, Troy University must verify that Sewell has been awarded an earned graduate degree in nursing or related health field.

**DONE** and **ORDERED** on this the 16<sup>th</sup> day of September, 2022.

**ALABAMA BOARD OF NURSING**



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**PEGGY SELLERS BENSONRN, MSHA, MSN, NE-BC  
EXECUTIVE OFFICER**

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on this the 22nd day of September, 2022, a true and correct copy of the foregoing Declaratory Ruling was served by forwarding the same by United States certified mail, postage prepaid, and addressed as follows:

JEFFERY WADE FOREHAND, PHD, DNP, RN-BC, CNE  
DIRECTOR AND PROFESSOR  
TROY UNIVERSITY SCHOOL OF NURSING  
400 PELL AVENUE  
TROY, ALABAMA 36082

**ALABAMA BOARD OF NURSING**



**PEGGY S. BENSON, RN, MSHA, MSN, NE-BC  
EXECUTIVE OFFICER**

ADDRESS OF COUNSEL:

Alice Maples Henley  
General Counsel  
Alabama Board of Nursing  
Post Office Box 303900  
Montgomery, Alabama 36130-3900  
334-293-5200 (Telephone)  
334-293-5201 (Facsimile)